

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Max Bernstein	Team: Team # 6	CCRB Case #: 201112043	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Saturday, 09/17/2011 11:40 PM, Sunday, 09/18/2011	Location of Incident: 248 Lafayette Street, en route to the 5th Precinct, and in the 5th Precinct stationhouse	Precinct: 05	18 Mo. SOL 3/17/2013	EO SOL 3/17/2013	
Date/Time CV Reported Mon, 09/19/2011 9:13 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 09/19/2011 9:13 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM James Famiano	07548	936568	005 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Vinicio Almonte	02330	940895	005 PCT
2. SGT Julio Ramos	04467	914488	005 PCT
3. LT William Doyle	00000	899165	005 PCT
4. DTS Patrick Connors	01309	929931	005 PCT
5. POM David Lee	12428	938836	005 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM James Famiano	Discourtesy: PO James Famiano spoke rudely to § 87(2)(b) and § 87(2)(b) outside of 248 Lafayette Street in Manhattan, en route to the 5th Precinct, and in the 5th Precinct stationhouse.	
B.POM James Famiano	Force: PO James Famiano used physical force against § 87(2)(b) outside of 248 Lafayette Street in Manhattan.	
C.POM James Famiano	Force: PO James Famiano used physical force against § 87(2)(b) outside of 248 Lafayette Street in Manhattan.	

## Case Summary

On September 19, 2011, § 87(2)(b) filed this complaint with the CCRB via the agency's online website on behalf of herself and her two friends, § 87(2)(b) and § 87(2)(b). On September 17, 2011, at approximately 11:40 p.m., § 87(2)(b) and § 87(2)(b) observed Officer James Famiano and Officer Vinicio Almonte of the 5<sup>th</sup> Precinct conducting a stop outside of 248 Lafayette Street in Manhattan. § 87(2)(b) and § 87(2)(b) approached the officers and the following allegations resulted:

- **Allegation A: Discourtesy—PO James Famiano spoke rudely to § 87(2)(b) and § 87(2)(b) outside of 248 Lafayette Street in Manhattan, en route to the 5th Precinct, and in the 5th Precinct stationhouse.**

§ 87(2)(g)

- **Allegation B: Force: PO James Famiano used physical force against § 87(2)(b) outside of 248 Lafayette Street in Manhattan.**

§ 87(2)(g)

- **Allegation C: Force PO James Famiano used physical force against § 87(2)(b) outside of 248 Lafayette Street in Manhattan.**

§ 87(2)(g)

On August 2, 2012, this case was reassigned to Inv. Max Bernstein following Inv. Benjamin Wilbur's departure from the agency.

## Results of Investigation

### Civilian Statements

#### **Complainant/victim:** § 87(2)(b)

- § 87(2)(b) was § 87(2)(b) old at the time of the incident. She is a white female, who stands 5'8" tall, weighs 155 pounds, and has brown hair and hazel eyes. § 87(2)(b)

#### **CCRB Statement:**

On December 7, 2011, § 87(2)(b) was interviewed at the CCRB (encl. 10A-G). § 87(2)(b)'s statement is summarized below.

On September 17, 2011, at approximately 11:40 p.m., § 87(2)(b) exited an unknown bar approximately two blocks away from 248 Lafayette Street in Manhattan. § 87(2)(b) was with § 87(2)(b) and § 87(2)(b). They had been out celebrating a recent promotion for § 87(2)(b) and had gone to approximately three bars in the preceding few hours. § 87(2)(b) and § 87(2)(b) had had four to five glasses of white wine and § 87(2)(b) had one to two glasses of wine. § 87(2)(b) stated that she was not intoxicated, but was "tipsy."

When the women were in the vicinity of 248 Lafayette Street, § 87(2)(b) heard yelling and noticed two officers (identified through investigation as Officer James Famiano and Officer Vinicio Almonte) yelling at two white males (identified through investigation as § 87(2)(b) and § 87(2)(b)). § 87(2)(b) could not remember what the officers did to the two white males, but she did recall that she thought it was overly aggressive.

The women approached and § 87(2)(b) took out her cell phone and filmed the incident. § 87(2)(b) was approximately ten feet away from the officers and § 87(2)(b) and § 87(2)(b) were approximately five feet behind § 87(2)(b). Officer Famiano told § 87(2)(b) to get back and stop filming, but § 87(2)(b) stated that she had the right to film. Officer Famiano then asked § 87(2)(b) for her identification and § 87(2)(b) yelled that she did not need to “fucking give it to him.” § 87(2)(b) continued to film and Officer Famiano told § 87(2)(b) and § 87(2)(b) to provide their identification. § 87(2)(b) yelled at them that they did not have to provide the identification and § 87(2)(b) and § 87(2)(b) did not provide it. Officer Famiano told all of the women to “move the fuck along.” § 87(2)(b) asked why that language was necessary, but she and § 87(2)(b) began to walk away slowly. Neither § 87(2)(b) nor § 87(2)(b) had advanced toward the officers.

As § 87(2)(b) was walking away, Officer Famiano pushed her in her back from behind. § 87(2)(b) tripped and fell to the ground face first. § 87(2)(b) placed her hands in front of her to break her fall and she fell on her right wrist, which immediately began to swell. § 87(2)(b) was not pushed to the ground. § 87(2)(b) stood up and Officer Famiano told all three women to stand against the wall. § 87(2)(b) asked why she and her friends were being stopped and Officer Famiano responded, “Shut the fuck up.” Officer Famiano asked for their IDs. After the IDs were provided, all three women were handcuffed, but § 87(2)(b) could not remember if she was handcuffed by Officer Famiano or Officer Almonte.

After § 87(2)(b) was handcuffed, she spoke to Officer Famiano about why the women had been stopped. During this conversation, Officer Famiano repeatedly used the word “fuck,” but § 87(2)(b) did not recall the exact phrasing of how it was used.

§ 87(2)(b) and § 87(2)(b) were then placed in an unmarked dark colored van and transported to the 5<sup>th</sup> Precinct stationhouse. Officer Famiano and Officer Almonte were the only officers inside of the van. During the transport, the women were nervously laughing because they were incredulous as to how this incident had progressed. Officer Famiano stated that this was not a “fucking laughing matter” and that they should stop laughing.

Once at the stationhouse, § 87(2)(b) asked Officer Famiano what was going on and he told § 87(2)(b) to “shut the fuck up.” The women were not placed in the holding cells, but instead were taken to a room where they were handcuffed to a bench for three hours.

After three hours, § 87(2)(b) and § 87(2)(b) were handed two disorderly conduct summonses each and § 87(2)(b) was handed one § 87(2)(b) summons by an unknown officer and the women left the stationhouse. The next day § 87(2)(b) asked the nurse at her office how she should treat her wrist. The nurse stated that it was only bruised and that she did not need to go to the hospital. § 87(2)(b) did not seek further medical attention and stated that her interaction with the nurse was informal and there is no documentation of it.

§ 87(2)(b) went to criminal court on § 87(2)(b), regarding her summonses and they were both dismissed, as was § 87(2)(b)s.

**Victim:** § 87(2)(b)

- § 87(2)(b) was § 87(2)(b) old at the time of the incident. She is a white female.

On October 4, 2011, § 87(2)(b) provided a brief telephone statement (encl. 9). § 87(2)(g)

§ 87(2)(b) and § 87(2)(b) were walking home from dinner when they observed two officers (identified through investigation as Officer Famiano and Officer Almonte) handcuffing an individual. § 87(2)(b) believed that the officers were handling this person rougher than need be. § 87(2)(b) took out her iPhone and started to film the arrest. § 87(2)(b) and § 87(2)(b) stayed back from the scene. Officer Famiano and § 87(2)(b) began to argue about the filming, so § 87(2)(b) and § 87(2)(b) approached § 87(2)(b) to have her leave the scene. However, Officer Famiano pushed both § 87(2)(b) and § 87(2)(b) in the chest, knocking them both to the ground. Officer Famiano then handcuffed all three women and placed them into a van that § 87(2)(b) could not describe. They were driven to an unknown police facility, where they were searched and placed in a holding cell for four hours, before they were then released with summonses for disorderly conduct. § 87(2)(b) sustained a sprained ankle and bruising from the incident, however, she did not obtain medical attention.

#### **Attempts to Contact Civilians**

Following § 87(2)(b)s phone statement, she scheduled to appear at the CCRB on October 19, 2011; however, on the morning of October 19, 2011, § 87(2)(b) called to reschedule her appointment for October 28, 2011. § 87(2)(b) failed to appear for that appointment without calling to cancel or reschedule. On October 31, 2011, § 87(2)(b) scheduled to appear at the CCRB on November 10, 2011, however, she failed to appear for that appointment without calling to cancel or reschedule. § 87(2)(b) contacted the CCRB and scheduled another appearance on December 8, 2011, however, § 87(2)(b) emailed Inv. Wilbur on the morning of December 8, 2011, explaining that she could not appear due to a scheduling conflict and she rescheduled her appointment for December 14, 2011. On December 14, 2011, § 87(2)(b) failed to appear for her appointment without calling to cancel or reschedule. On December 14, 2011, a voicemail message was left for § 87(2)(b) requesting she contact the CCRB and on December 16, 2011, an email was sent to § 87(2)(b) requesting she contact the CCRB. Since her last missed appointment, § 87(2)(b) has not contacted the CCRB.

§ 87(2)(b) § 87(2)(b) was contacted by telephone on February 27, 2012, when she scheduled a telephone interview for March 5, 2012. However, when § 87(2)(b) was called at the time of her scheduled interview, she did not answer the phone. A message was left for her, requesting she contact the CCRB. Additionally, on March 13, 2012 and March 20, 2012, two voicemail messages were left for § 87(2)(b) requesting she contact the CCRB. A missed appointment email was also sent to § 87(2)(b). Since February 27, 2012, § 87(2)(b) has not contacted the CCRB.

According to Stop, Question and Frisk Report number § 87(2)(b) (encl. 17), § 87(2)(b) was the individual stopped by Officer Almonte when the females approached. The Stop, Question and Frisk report only listed § 87(2)(b)s name and birthdate. A DMV search was conducted for § 87(2)(b) (encl. 28) but it yielded negative results. A Lexis Nexis Search was also conducted for § 87(2)(b) (encl. 29) which provided one potential contact number, which had a

Wisconsin area code. On September 26, 2012, § 87(2)(b)'s number was attempted, however, the phone rang continuously before the undersigned received a busy signal.

According to Stop, Question and Frisk Report number § 87(2)(b) (encl. 12) § 87(2)(b) was the individual who was stopped by Officer Famiano when the females approached. Officer Famiano noted § 87(2)(b)'s contact information in his memo book, including his phone number. Between April 2, 2012 and September 11, 2012, § 87(2)(b) was attempted by telephone six times. On two of the occasions, voicemail messages were left for him requesting he contact the CCRB. On the remaining occasions, voicemail messages could not be left, as § 87(2)(b)'s mailbox was full. Additionally, on September 25, 2012, a please call letter was sent to § 87(2)(b). To date, § 87(2)(b) has not contacted the CCRB, nor has the letter been returned stamped "return to sender" by the United States Postal Service (USPS).

#### **NYPD Statements:**

##### **Subject Officer: PO JAMES FAMIANO**

- *Officer Famiano was § 87(2)(b) old at the time of the incident. He is a white male, who stands 5'10" tall, weighs 200 pounds, and is bald and has green eyes.*
- *Officer Famiano worked from 5:00 p.m. on September 17, 2011, until 5:35 a.m. on September 18, 2011. He was assigned to Anti-crime with Officer Vinicio Almonte, was dressed in plainclothes, and was working on foot.*

##### **Summons (encl. 13A-B):**

Officer Famiano issued two summonses to § 87(2)(b) in regards to this incident. He issued one for § 87(2)(a) 160.50  
§ 87(2)(a) 160.50

##### **Memo Book (encl. 14A-C):**

Officer Famiano noted that on September 16, 2011 (sic) at 11:35 p.m., he had § 87(2)(b) stopped in front of 248 Lafayette Street. At 11:41 p.m., Officer Famiano had § 87(2)(b) stopped in front of the same location. At 11:47 p.m., Officer Famiano noted one under for a § 87(2)(a) 160.50.

##### **CCRB Statement:**

On April 2, 2012, Officer James Famiano was interviewed at the CCRB (encl. 15A-C). His statement is summarized below.

On September 17, 2011, at approximately 11:35 p.m., Officer Famiano and Officer Almonte had § 87(2)(b) stopped in the vicinity of 248 Lafayette Street and Officer Famiano was asking him questions regarding his whereabouts. Mid-way into Officer Famiano's conversation with § 87(2)(b) three women approached and stood approximately 10 to 15 feet away from the officers. One of the women was identified by Officer Famiano as § 87(2)(b) and the other two were identified through investigation as § 87(2)(b) and § 87(2)(b). All three women began screaming and cursing. Officer Famiano did not recall precisely what they yelled, but he did remember that the women told § 87(2)(b) that he was free to walk away, which was not true. Officer Famiano did not recall if the females seemed intoxicated.

The women yelled for approximately two to five minutes before Officer Famiano and Officer Almonte told them to stop yelling and to disperse. Officer Famiano and Officer Almonte asked the woman to stop screaming and disperse at least five times, but the women did not respond to

the directives and they continued to yell at the officers. Officer Famiano then asked the women for identification, but they did not initially comply.

The females continued yelling for approximately five to ten minutes. During this time, a crowd gathered. Since Officer Famiano and Officer Almonte were greatly outnumbered by the women and the crowd, the officers decided that they would apprehend the women and bring them back to the stationhouse. Either Officer Famiano or Officer Almonte also called for backup. Officer Famiano did not indicate which officers arrived as backup and he did not recall if those officers interacted with § 87(2)(b) or § 87(2)(b).

Officer Famiano eventually obtained the females' IDs and then placed them in handcuffs. Initially Officer Famiano said that placing the females in handcuffs was the first time that he made physical contact with the women. However, Officer Famiano later stated that he possibly put his hands on the women to try to disperse them, but did not remember any of them falling to the ground.

The women were placed in a police van for transport to the stationhouse. Officer Famiano accompanied the women in the van, but he was not sure who drove the van. Prior to the transport, Officer Famiano did not tell the women to "move the fuck along," nor did he hear any other officer make that statement. Officer Famiano denied uttering any profanities at the scene. During the transport, Officer Famiano did not curse at the women or tell them that "this is not a fucking laughing matter."

Upon their arrival to the stationhouse, the women were all placed in a holding cell and issued summonses for § 87(2)(a) 160.50. Officer Famiano did not recall saying "shut the fuck up" or any other profanities, nor did he hear any other officer make such a statement.

**Witness Officer: PO VINICIO ALMONTE**

- Officer Almonte was § 87(2)(b) old at the time of the incident. He is a Hispanic male, who stands 5'7" tall, weighs 200 pounds, and has brown hair and brown eyes.
- Officer Almonte worked from 5:00 p.m. on September 17, 2011 until 5:35 a.m. on September 18, 2011. He was assigned to Anti-crime with Officer James Famiano, dressed in plainclothes, and assigned to unmarked RMP#1691, which is an unmarked silver sedan.

**Summons (encl. 18A-C):**

Officer Almonte prepared three summonses in regards to this incident. He issued two summonses to § 87(2)(b) for § 87(2)(a) 160.50

§ 87(2)(b)

§ 87(2)(b)

**Memo Book (encl. 19A-C):**

At 11: 35 p.m., Officer Almonte stopped an individual named § 87(2)(b) in front of 248 Lafayette Street, however, he stated that this incident was unrelated. At 11:41 p.m., Officer Almonte noted that he had § 87(2)(b) and § 87(2)(b) stopped in front of 248 Lafayette Street. At 11:47 p.m., § 87(2)(b) and § 87(2)(b) were placed under arrest. They were then transported to the 5<sup>th</sup> Precinct stationhouse by marked van# 8511. At 2:00 a.m., § 87(2)(b) and § 87(2)(b) were released with three "C" summonses.

**CCRB Statement:**

On September 14, 2012, Officer Almonte was interviewed at the CCRB (encl. 20A-C). § 87(2)(b)

(g)

Officer Almonte corroborated Officer Famiano's initial account of the incident. He added that § 87(2)(b) and § 87(2)(b) were yelling, "Fuck you guys. Fuck the police." Officer Almonte believed that the females were intoxicated due to their yelling, a smell of alcohol emanating off of them, and because they were slightly wobbling as they walked over.

The females refused to leave the scene and continued yelling at the officers and using profanity while doing so. Officer Almonte and Officer Famiano explained to the females that they were interrupting a lawful stop and they asked the females to leave the scene, but the females yelled out that they knew their rights and they did not need to leave. After refusing three or four directives to disperse, § 87(2)(b) and § 87(2)(b) abruptly walked away. Neither Officer Almonte nor Officer Famiano made any physical contact with the females before they walked away. The females walked southbound on Lafayette Street approximately four buildings down, before § 87(2)(b) stopped and turned back around and walked back towards the officers. § 87(2)(b) and § 87(2)(b) followed. When § 87(2)(b) came back, she stated, "Fuck the cops," repeatedly. She added that she knew her rights and she could stand there and watch and do whatever she wanted.

Officer Almonte and Officer Famiano again told the females that they had to leave the scene since they were interrupting a stop. Officer Almonte and Officer Famiano issued four or five directives for the women to leave, but instead of dispersing, the women became louder and continued directing obscenities at the officers.

At this point, Officer Almonte was standing with § 87(2)(b) and § 87(2)(b) approximately one building length away from Officer Famiano and § 87(2)(b). Officer Almonte and Officer Famiano made eye contact, which Officer Almonte took to mean that they would place the females under arrest. Officer Famiano grabbed § 87(2)(b) arm to place her in handcuffs, but § 87(2)(b) shoved Officer Famiano with her right forearm to his chest. Officer Almonte then turned around to face § 87(2)(b) and § 87(2)(b). One of them had started to record the incident on her cellphone. Officer Almonte turned back around and saw that § 87(2)(b) was on the ground, however, he did not see how she fell. He assumed that she fell after she had pushed Officer Famiano. Officer Almonte then turned back around and placed § 87(2)(b) and § 87(2)(b) in handcuffs. Officer Almonte did not indicate whether or not the cell phone was still in either of the female's hands when he handcuffed them. Officer Almonte stated that there was no physical struggle when he handcuffed § 87(2)(b) and § 87(2)(b) and neither of them went to the ground. Officer Almonte was not sure if he requested § 87(2)(b) or § 87(2)(b)'s ID prior to handcuffing them.

After all three females were placed in handcuffs, Sergeant Julio Ramos arrived at the scene and verified the arrests. Officer Almonte told his sergeant that he was planning on arresting the females for OGA, but if they calmed down, he may release them with criminal court summonses for § 87(2)(b). The females were then transported back to the 5<sup>th</sup> Precinct stationhouse in marked van number 8511. Officer Almonte stated that most likely either he or Officer Famiano or both of them accompanied the females back to the stationhouse, but he could not recall who did. He also did not recall which officers were operating RMP 8511, however he stated they were uniformed sector officers.

Neither Officer Almonte nor Officer Famiano used any profanity at any point during the incident.

Back at the stationhouse, § 87(2)(b) and § 87(2)(b) continued yelling and cursing at the officers. Officer Almonte then explained to the females that they were going to be processed through the system, at which point § 87(2)(b) started crying. § 87(2)(b) apologized to the other females and stated that the whole incident was her fault. All three females then apologized to the officers, at which point Officer Almonte decided that he would let them go with criminal court summonses. Officer Almonte stated that he did not use any profanity while inside of the stationhouse.

#### **MOS Statements Not Included:**

According to the 5<sup>th</sup> Precinct Tour 1 roll call (encl. 24A-C) Detective Patrick Connors and Officer David Lee were assigned to RMP number 8511. Officer Almonte noted in his memo book that § 87(2)(b) and § 87(2)(b) were transported to the 5<sup>th</sup> Precinct stationhouse in RMP number 8511. As a result, on September 21, 2012, Detective Patrick Connors was interviewed at the CCRB (encl. 22A-B). § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

#### **NYPD Documents**

##### **Command Log (encl. 25):**

§ 87(2)(b) and § 87(2)(b) were stamped into the 5<sup>th</sup> Precinct Command Log at 12:01 a.m. on September 18, 2012. All three females' conditions were listed as apparently normal, but intoxicated. At 2:00 a.m., § 87(2)(b) and § 87(2)(b) were released with summonses.

##### **Roll Call (encl. 24A-C):**

The 5<sup>th</sup> Precinct Tour 1 roll call listed that Detective Patrick Connors and Officer David Lee were assigned to RMP number 8511.

#### **Status of Civil Proceedings**

- § 87(2)(b) and § 87(2)(b) have not filed a Notice of Claim with the City of New York as of September 27, 2012, with regard to the incident (encl. 27).

#### **Civilians Criminal History**

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
- § 87(2)(b)

#### **Civilians CCRB History**

- This is the first CCRB complaint filed by § 87(2)(b)

#### **Subject Officer CCRB History**

- Officer Famiano has been a member of the service for seven years and there are no substantiated CCRB allegations against him (encl. 2).



## Conclusion

### Identification of Subject Officer

§ 87(2)(b) described the subject officer as a 6'0" tall white male, with a shaved head, stocky build, and a goatee. § 87(2)(b) described the subject officer as a 5'11" tall white male, with a shaved head and a muscular build. § 87(2)(b) described the subject officer's partner as a dark skinned male and § 87(2)(b) described him as a Hispanic male with dark hair and a slim build. Officer Famiano and Officer Almonte acknowledged interacting with § 87(2)(b) and § 87(2)(b) and Officer Famiano matches the physical description of the subject officer, while Officer Almonte generally matches the description of the witness officer. § 87(2)(g)

### Investigative Findings and Recommendations

#### Allegations Not Pleaded:

§ 87(2)(b) acknowledged that § 87(2)(b) yelled profanities at Officer Famiano and Officer Almonte after they had told her to disperse. § 87(2)(g)

#### Allegation A: Discourtesy—PO James Famiano spoke rudely to § 87(2)(b) and § 87(2)(b) outside of 248 Lafayette Street in Manhattan, en route to the 5th Precinct, and in the 5th Precinct stationhouse.

§ 87(2)(b) alleged that Officer Famiano told her, § 87(2)(b) and § 87(2)(b) to "move the fuck along." § 87(2)(b) also alleged that when she questioned Officer Famiano as to why she was stopped, he told her to "shut the fuck up." She added that Officer Famiano used the word "fuck" repeatedly outside of 248 Lafayette Street in Manhattan, but she could not recall all the specifics ways he used the word. § 87(2)(b) stated that while she, § 87(2)(b) and § 87(2)(b) were being transported to the 5<sup>th</sup> Precinct stationhouse, Officer Famiano told them that the situation was not a "fucking laughing matter." Once the women got to the stationhouse, Officer Famiano allegedly told § 87(2)(b) to "shut the fuck up" again. Officer Famiano denied uttering any profanities at the scene, during the transport to the stationhouse, or at the 5<sup>th</sup> Precinct stationhouse. Officer Almonte also denied hearing Officer Famiano use any profanities throughout the incident. § 87(2)(b) did not make any discourtesy allegations against Officer Famiano in her brief phone statement.

§ 87(2)(g)

#### Allegation B: Force: PO James Famiano used physical force against § 87(2)(b) outside of 248 Lafayette Street in Manhattan.

§ 87(2)(b) alleged that Officer Famiano pushed her in the her back, causing her to fall to the ground, which resulted in swelling to her wrist. § 87(2)(b) corroborated that Officer Famiano pushed § 87(2)(b) to the ground. Officer Famiano initially denied making any physical contact with § 87(2)(b) but later stated that he may have put his hands on the women at the scene to try to disperse them, but he did not remember any of them falling to ground or if he touched § 87(2)(b)

§ 87(2)(b) specifically. Officer Almonte stated that Officer Famiano tried to handcuff § 87(2)(b) but she pushed off of him, which he believes caused her to fall to the ground.

§ 87(2)(g)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

**Allegation C: Force PO James Famiano used physical force against § 87(2)(b) outside of 248 Lafayette Street in Manhattan.**

In her telephone statement, § 87(2)(b) alleged that Officer Famiano pushed her to the ground. After § 87(2)(b)'s telephone statement, she did not cooperate with the investigation and did not appear at the CCRB to provide a sworn statement.

§ 87(2)(g)  
[Redacted]  
[Redacted]  
[Redacted]

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Team: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date